

SEIFF KRETZ & ABERCROMBIE

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OF COUNSEL

May 8, 2008

Hon. Joanna Seybert  
United States District Judge  
United States District Court  
Eastern District of New York  
934 Federal Plaza  
Central Islip, New York 11722-1094

Re: United States v. Solimine, et al., CR 07 567 (JS)(MLO)

Dear Judge Seybert:

We represent the Rent Stabilization Association of N.Y.C., Inc. (RSA), a trade association comprised of thousands of small-, medium- and large-sized residential property owners and managers who own and/or manage approximately one million apartments throughout the City of New York.

A substantial number of RSA's members were customers of the entities involved in the oil embezzlement schemes described in the indictment in the above-referenced prosecution and in a related prosecution, United States v. Baldari, et al., CR 07 568 (DRH) (MLO). They have suffered extensive losses as a result of the embezzlement, though in amounts not yet determined.

We understand that the United States Attorney's Office is pursuing forfeiture of the assets of the defendants and perhaps the entities through which they conducted their alleged criminal activities. We are concerned that sufficient assets are allocated to restitution to ensure that the members of RSA victimized by the defendants ultimately can be made whole.

We have notified the United States Attorney's Office of our claim for restitution, and have written to the Assistant in charge of the prosecutions to express our desire, pursuant to 18 U.S.C. § 3771, to work with the government to coordinate our fact gathering with the data the government has compiled to properly identify the victimized RSA members and accurately assess the extent of the losses suffered by them. In doing so, we would hope to be able to streamline our presentations to the

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Probation Department and this Court in support of our claim. We are awaiting the government's response.

Respectfully submitted,



Walter A. Kretz, Jr. (WK-4645)

cc: Burton T. Ryan, Jr., AUSA  
All Counsel of Record by ECF Transmission  
Joseph Strasburg  
President, RSA  
Mitchell Posilkin  
Counsel, RSA